

SUMMARY OF THE MANAGER'S AMENDMENT TO BE OFFERED IN FULL COMMITTEE MARKUP OF H.R. 3

Title I

Defines the "Secretary" as the Secretary of Transportation.

Requires the report mandated by Section 104(j) of Title 23 be available on the Internet.

Allows States to reprogram excess funds after a project has been completed.

Strikes a numerical drafting error in the bill and inserts the correct funding level of \$35,000,000.

For purposes of Congestion Relief, specifies that communications equipment related to traffic incident management is part of a definition in Title 23.

Clarifies that States may allow low emission and energy efficient vehicles access to High Occupancy Vehicle (HOV) lanes without charging a toll.

Provides for opening a ramp connecting I-495 and Arena Drive.

Clarifies that the installation of protective devices at railway-highway crossings is an eligible activity under the Hazard Elimination Program.

Makes several technical amendments to High Priority Corridors on the National Highway System and adds two new Corridors to the underlying authorization for such Corridors in the Intermodal Surface Transportation Efficiency Act of 1991.

Several technical amendments are made to TEA 21 high priority project descriptions.

Adds section 1834 to provide a Sense of Congress on the Buy America test required by Public Law 97-424.

Adds section 1835 to direct the Secretary of Transportation to conduct a study on the role of well-designed transportation projects in promoting community enhancement.

Adds section 1836 providing a Sense of Congress concerning the collaborative potential of transportation projects and local workforce investment.

Title II

Allows States to become eligible for alcohol-impaired driving countermeasure grants by adopting or demonstrating at least 6 eligibility criteria in fiscal years 2005 and 2006 and at least 7 eligibility criteria in fiscal years 2007 through 2009.

Adds a program to impound vehicles operated by people arrested for drunk driving as a criterion for States to become eligible to receive alcohol-impaired driving countermeasure grants.

Adds that the Secretary shall conduct a study and provide a report on the effects and potential risks of glare to oncoming drivers.

Title III

Amends the list of projects that are eligible under the Clean Fuels Formula Grants program to allow for constructing new facilities as well as improving existing facilities.

Amends the new “Small Starts” program to clarify that projects under \$25 million in federal funding are exempt from the Small Starts evaluation and rating process outlined in the section.

Amends the project selection and planning requirements set out for grants for the Elderly and Disabled and the grants for the New Freedom Initiative. The amendment allows States to phase in the requirement that projects funded under these programs be derived from a coordinated public transit-human services transportation plan.

Inserts a directed rulemaking requirement governing transit “Buy America” to update and strengthen current law practices. Specifically, the FTA is directed to issue a final rule within 180 days to clarify that: (1) microprocessor waivers can only be issued for devices used solely for processing or storing data; and (2) the term “end product” as used in the regulations under CFR 49 part 661 must be more clearly defined.

Sets out the project authorizations for the New Starts program. Subsection (a) includes projects already under an executed full funding grant agreement; subsection (b) authorizes projects for final design and construction; and subsection (c) authorizes projects for alternatives analysis and preliminary engineering. Subsection (d) sets funding authorization levels in each fiscal year for each of the three subcategories described above. There is an automatic graduation clause in subsection (d)(3) that authorizes subsection (c) projects for final design and construction effective October 1, 2007.

Section 3038 makes funds available in fiscal years 2006, 2007, and 2008 for certain bus and bus facilities projects.

The National Fuel Cell Bus Technology Development Program, authorized under section 3039 of H.R. 3, is amended to provide for a program carried out by 3, rather than 4, geographically diverse nonprofit organizations and recipients.

Authorizes a new study to research public transportation systems' abilities to address the needs for and barriers to effective travel by people with cognitive impairments.

Title IV

Allows DOT to suspend, amend, or revoke motor carrier's registration if an officer of a motor carrier engages in a pattern of avoiding compliance with motor carrier regulations. Expands the definition of "officer" to include persons exercising controlling influence of the operations of a motor carrier.

Permits DOT to determine whether a motor carrier or operator is fit to operate a commercial motor vehicle by considering their safety record while operating in interstate, intrastate, and Canadian and Mexican commerce.

Clarifies that operators transporting agricultural commodities and farm supplies during planting and harvesting seasons continue to not be subject to hours of service regulations during such seasons.

Title V

Strikes certain program elements in the Motor Carrier Efficiency Study to sharpen the focus of the study on the remaining elements.

Section 5215 establishes a Center to assist, through training and research, the development of rural and small metropolitan transportation systems.

Title VI

No changes.

Title VII

Requires the Secretary to issue, within 60 days of enactment, temporary regulations for transportation of hazardous material.

Title VIII

No changes.